

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

FILED

Nov 30, 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

**IN RE: KITEC PLUMBING SYSTEM PRODUCTS
LIABILITY LITIGATION**

MDL No. 2098

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-5)

On October 7, 2009, the Panel transferred 12 civil action(s) to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 655 F.Supp.2d 1364 (J.P.M.L. 2009). Since that time, 9 additional action(s) have been transferred to the Northern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable W. Royal Furgeson, Jr.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Texas and assigned to Judge Furgeson.

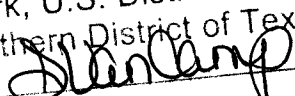
Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Texas for the reasons stated in the order of October 7, 2009, and, with the consent of that court, assigned to the Honorable W. Royal Furgeson, Jr.

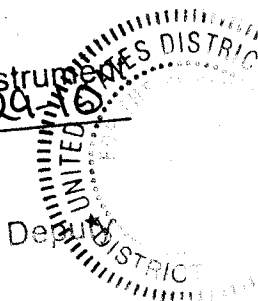
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Certified a true copy of an instrument
on file in my office on 11-29-10
Clerk, U.S. District Court,
Northern District of Texas
By 



**IN RE: KITEC PLUMBING SYSTEM PRODUCTS
LIABILITY LITIGATION**

MDL No. 2098

SCHEDULE CTO-5 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
ARIZONA			
AZ	2	10-02181	Swets et al v. PulteGroup Incorporated et al
CALIFORNIA EASTERN			
CAE	2	10-01634	AU et al v. IPEX Inc. et al
CAE	2	10-03028	Au et al v. IPEX Inc. et al
TEXAS WESTERN			
TXW	1	10-00819	Davis et al v. McGuyer Homebuilders, Inc. et al